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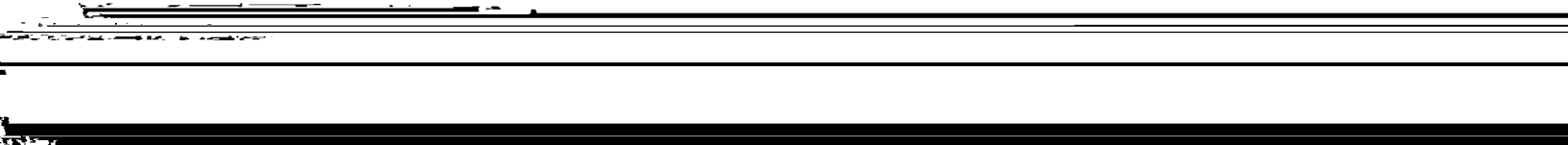
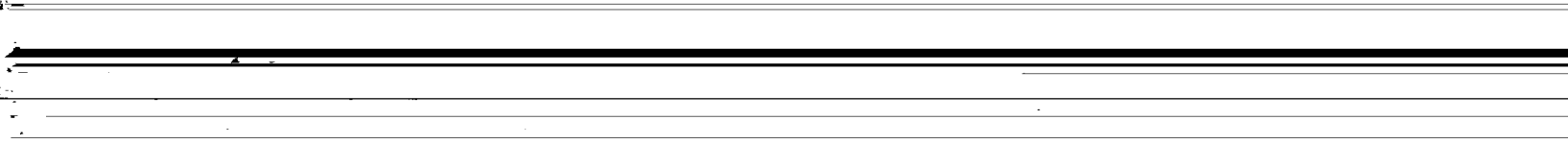
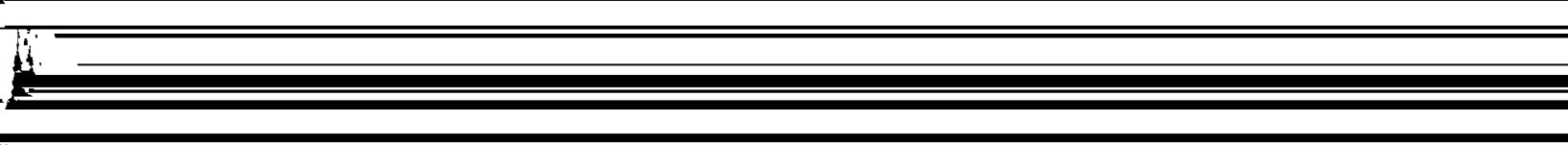



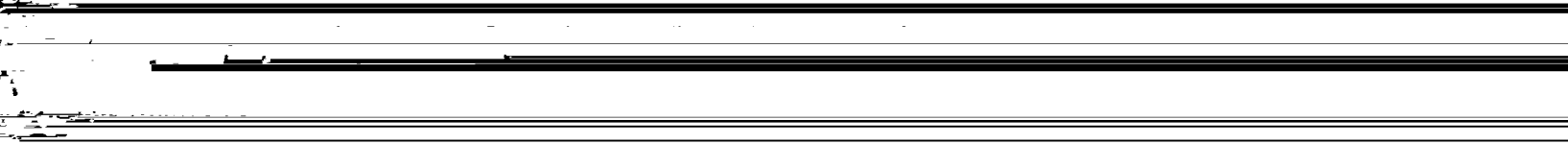


T I M E W A R N E R

The purpose of this letter is to urge the Commission to issue a public notice requesting comments from interested parties on the June 23 letter and to instruct Bellcore not to proceed with the assignment of NXX codes within the 500 service areas.

Kathleen Levitz, Esq.
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including those for PCS. The NANPA is apparently unsatisfied with the pace of these efforts. In effect, the June 23 letter constitutes, first, a virtually unprecedented attempt to short-circuit industry consensus building processes, second, a unilateral impact on the business and operations of key industry participants that have had no part of the discussions on which the June 23 letter is based, and, third, a disregard for the Commission's assertion of the public interest in these important numbering dispositions.

First, the NANPA has side-stepped the usual consensus building process and taken upon itself to determine the urgency



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what to do with PCS numbering requirements.² In the PCS Notice of Proposed Rulemaking, the Commission had stated that it will address PCS numbering issues in a separate proceeding.³ TWT suggests that the public interest includes fairness and promotion of open competitive entry.

The NANPA certainly recognizes the importance of the general principle of fairness. Bellcore spokesperson Barbara Kaufman was recently quoted as stating that one of the principles that the NANPA has followed since divestiture is that "all users of numbering resources should be treated alike, and that no segment should receive any preferential treatment."⁴ This principle is not reflected, however, in the instant NANPA submission. The assignment of NXX codes from the 500 SAC to specific companies for the provision of PCS at this point in time favors embedded providers. The effect is to discriminate against the new entrant, and undermine the opportunity for competitive parity.

Unlike new entrants, NANPA's constituency on this issue, the specified telephone companies, cellular carriers and interexchange carriers, will immediately obtain many service and carrier specific numbers. As a condition to the award of PCS numbers, the NANPA requires applicants' showings of appropriate regulatory authorization and projected need. No doubt, the embedded entities are already armed with regulatory authorizations as well as forecasts of very heavy demand for PCS as it is defined by the NANPA Letter.⁵ As a result, all of the

²Administration of the North American Numbering Plan, CC Docket No. 12-237, Notice of Inquiry, 7 FCC Rcd 6837, n.40 (1992).

³Amendment of the Commission's Rules to Establish New Personal Communications Services, GEN Docket No. 90-314, Notice of Proposed Rulemaking and Tentative Decision, 7 FCC Rcd 5676, n.78 (1992).

⁴Common Carrier Week, February 1, 1993.

⁵The NANPA's definition of PCS is so broad that it not only meets the widely accepted expectation that PCS will be a wireless service supporting personal mobility, but it also sweeps in a potentially very broad family of wireline LEC-based Intelligent Network ("IN") services. IN capabilities have long been a high development priority of the Regional Bell Operating Companies and other LECs. For this reason, it is highly likely that the

(continued...)

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proposed PCS service access line codes may be assigned before new entrants can develop the showing required by the NANPA to obtain such codes.

Such a stark departure from the expected goals and processes ought to have been accompanied with clear justification. The NANPA's June 23 letter and the Joint Position Paper fail to do that. The NANPA's submission contains nothing more than a general statement that it has received requests for NXX code assignments from the subject companies which "included projected market data supporting significant demand for personal communications services." The NANPA states that these companies urgently need the numbers in order to conduct service trials, negotiate access arrangements, perform coordinations and implementation activities and negotiate routing arrangements.⁶

As to service trials, it is unclear why it is necessary to restructure the NANP in order to give potential PCS service providers enough numbers to conduct these inevitably limited activities. The current pool of numbers available to the NANP or the carriers themselves would appear to be more than sufficient for the several thousands (at most) of trial customers that may be participating.

Even more unclear is any urgency associated with the negotiation of access, coordination, and routings. It is not at all obvious how all the industry's potential PCS service providers can know with which carriers they will wish to negotiate and as to which switching sites and facilities routes these negotiations will be conducted. Under the legislation now likely to be passed in mid-August, it is highly unlikely that potential PCS service providers will even know where their service areas will be until after spectrum auctions are held. Spectrum auctions are not likely to occur before mid-March 1994.⁷

⁵(...continued)

NANPA's proposal could result in the rapid exhaustion of not only the 500 but the 400 SAC code by wireline based services.

⁶NANPA Letter at 3.

⁷Both the House and Senate have passed legislation requiring the creation of a PCS spectrum auction procedure. Both bills require that licenses are to be issued within 270 days of the effective date of new legislation. Because the FCC must create a

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For the reasons stated above, TWT submits that the public interest is not served by the proposed assignment of NXX codes to specific companies at this point in time.

Very Truly Yours,



Lisa A. Hook
Chief Operating Officer
Time Warner Telecommunications

⁷(...continued)
270 days will be required. It is also quite likely that auctions will not occur before approximately March 1994.



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July 6, 1993

Ms. Madeline Bogdan, Moderator
Industry Carrier Compatibility Forum
290 West Mt. Pleasant Avenue
Livingston, NJ 07039

Re: Opening of 500 SAC by NANPA

Dear Ms. Bogdan,

About ten days ago, Paul Hart and I met informally with staff of the FCC Common Carrier Bureau to discuss the likely opening of the 500 Service Access Code (SAC) by the North American Numbering Plan Administrator (NANPA). At USTA, we have received a number of expressions of concern from USTA members about the potential impacts of the opening of the 500 SAC. (Some of those concerns are set out later in this letter.) USTA's Numbering Planning Subcommittee also has discussed ways to obtain consideration of these concerns from the appropriate carriers, industry groups and the FCC.

The day after we met with the Bureau staff, we received a copy of a letter sent on behalf of NANPA from Michael S. Slomin, Bell Communications Research counsel, to the Acting Chief of the Common Carrier Bureau, Kathleen Levitz, informing her that the NANPA had decided to commence assignment of numbers within the 500 SAC to certain companies that have expressed an urgent need for those assignments for personal communications service applications. NANPA stated that it would begin assignments within the 500 SAC on August 1, 1993, unless the Commission directed otherwise. A copy of that letter is attached. NANPA concluded that it would not wait for completion of assignment guidelines within the Industry Carriers Compatibility Forum (ICCF).

It is our understanding from the letter that the next scheduled ICCF meeting at which the 500 SAC guidelines could be considered is currently scheduled for September, and that the earliest scheduled date for completion of guidelines is

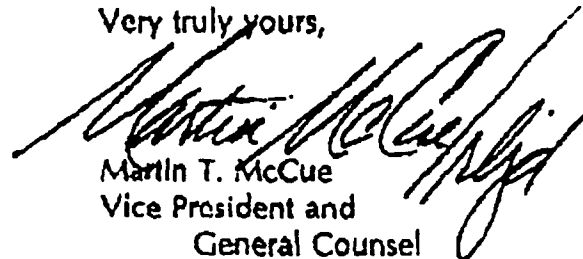
November. We believe that the industry and the public would benefit from an

The ICCF should schedule time in July to have an opportunity to identify any issues that should be brought to the NANPA's attention (or to the attention of the FCC) in advance of the August 1 date for commencement of assignments. In addition, the ICCF should consider whether there are issues that are appropriate for referral to the Ordering and Billing Forum or the Network Operations Forum, who have not yet had the opportunity to consider matters related to the opening of the 500 SAC. This might include, for example, assessment of the overall burden of implementing number portability in the networks of carriers. Even if the OBF or NOF cannot consider 500 SAC-related issues until after August 1, early referral will encourage resolution by these fora that is likely to be more timely. The August 1 date provides some new urgency to the ICCF guidelines process that merits a scheduling adjustment.

Should the ICCF identify any question or issue that may exist with an August 1 500 SAC assignment commencement date, NANPA may decide that an adjustment in its interim NANPA guidelines is appropriate before August 1. The process suggested here by USTA would balance the stated urgent needs of the small group of companies who have asked for assignments within the 500 SAC, with the overall public interest in the stability and constructive operation of our numbering conventions.

Thank you for your consideration.

Very truly yours,



Martin T. McCue
Vice President and
General Counsel

cc: K. Levitz, Acting Chief, FCC Common Carrier Bureau
P. Wynns, Chief, FCC Industry Analysis Division
M. Slomin, Bell Communications Research
P. Hart, USTA Vice President, Technical Disciplines
D. Byrne, USTA Director, Numbering Planning
Subcommittee